IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2006

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THE HONOURABLE MR.JUSTICE P.JYOTHIMANI

W.P.NO.42470 OF 2006
and
M.P.NO.1 OF 2006

M.Ganesan .. Petitioner

Vs.

1.The Chief Administer of
Municipality,
Office of the Administrator
of Municipality, Ezhilagam,
Chepauk, Madras-5.
2.The Regional Municipal
Administrator,
Office of the Municipal
Administration, Vellore,
Vellore District.
3.The Commissioner,
Office of the Arakkonam
Municipality,
Arakonam-1 .. Respondents

This writ petition is preferred under Article 226 of the Constitution of India praying for the issue of a writ of mandamus directing the respondents to appoint the petitioner in any vacancy anywhere in Tamilnadu under the control of the respondents Municipality.

For Petitioner : Mr.S.Raveendran
For Respondents : Mr.D.Srinivasan, GA

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ORDER

This writ petition is filed for a direction against the respondents to appoint the petitioner in any of the vacancy anywhere in Tamil Nadu under the Control of respondents Municipality.

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2.The case of the petitioner is that the petitioner has worked as N.M.R. in the third respondent Municipality from 1993 to 1.6.1996 for a period of three years. As per G.O.Ms.No.125, dated 27.5.1999, the petitioner is eligible to be considered for regular appointment. In view of the same, the petitioner has also relied on G.O.Ms.No.21, dated 23.2.2006 for the purpose of regularization of the service. The petitioner has filed O.A.No.843 of 1999 before the Tamil Nadu Administrative Tribunal for a direction to appoint him. By order, dated 8.2.1999, the Tribunal has directed the respondent to consider the representation of the petitioner, dated 4.1.1999 and pass orders as per Rule. Since there was a ban in the recruitment, no order was passed, though his name was recommended by the third respondent in Serial No.4. Now, G.O.Ms.No.21, dated 23.2.2006 has been passed lifting the ban on recruitment. The petitioner has made a representation on 27.9.2006 to the third respondent to consider him to be appointed and regularized. In similar circumstances, this Court in W.P.No.23369 of 2006, dated 1.8.2006, has issued a direction to the third respondent to forward the representation of the petitioner to the first respondent so as to enable the first respondent to pass appropriate orders in accordance with G.O.Ms.No.125, Municipal Administration and Water Supply Department, dated 27.5.1999.

3.I have heard the learned counsel for the petitioner and also Mr.D.Srinivasan, Government Advocate, who takes notices on behalf of the respondents. Considering the above said facts, without going into the merits of the case, the third respondent is directed to send the representation of the petitioner, dated 27.9.2006 to the first respondent for consideration in accordance with G.O.Ms.No.125, Municipal Administration and Water Supply Department, dated 27.5.1999, within a period of four weeks from the date of receipt of copy of this order. The first respondent shall pass orders within a period of four weeks thereafter. With the above directions, the writ petition is disposed of. There shall be no order as to the costs. Consequently, connected miscellaneous petition is closed.

vvk

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

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To

1.The Chief Administer of
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Office of the Administrator
of Municipality,
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Chepauk, Madras-5.
2.The Regional Municipal
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Office of the Municipal
Administration,
Vellore,
Vellore District.
3.The Commissioner,
Office of the Arakkonam
Municipality,
Arakonam-1.

+ 1 cc to Mr. S. Raveendran, Advocate SR No. 52863

+ 1 cc to Government Pleader SR No. 53405

AVA(CO)
SR/21.11.2006 W.P.NO.42470 OF 2006

HIGH COURT OF JUDICATURE MADRAS
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